



State of New Jersey  
**DEPARTMENT OF HEALTH**  
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PHILIP D. MURPHY  
*Governor*

SHEILA Y. OLIVER  
*Lt. Governor*

JUDITH M. PERSICILLI, RN, BSN, MA  
*Commissioner*

**EXECUTIVE DIRECTIVE NO. 21-001**

**Visitation Protocols Supplementing Executive Directive No. 20-026 for the Resumption of Services in all Long-Term Care Facilities licensed pursuant to N.J.A.C. 8:43, N.J.A.C. 8:39, N.J.A.C. 8:36 and N.J.A.C. 8:37**

**WHEREAS**, Coronavirus disease 2019 (“COVID-19”) is a contagious, and at times fatal, respiratory disease caused by the respiratory illness caused by the SARS-CoV-2 virus; and

**WHEREAS**, symptoms of the COVID-19 illness include fever, cough and shortness of breath, which may appear in as few as two or as long as 14 days after exposure, and can spread from person to person via respiratory droplets produced when an infected person coughs or sneezes; and

**WHEREAS**, on March 9, 2020, Governor Philip D. Murphy issued Executive Order 103, declaring the existence of a Public Health Emergency, pursuant to the Emergency Health Powers Act, N.J.S.A. 26:13-1 et seq., and a State of Emergency, pursuant to the Disaster Control Act, N.J.S.A. App A:9-33 et seq., in the State of New Jersey for COVID-19; and

**WHEREAS**, the Public Health Emergency has been extended by Governor Murphy by Executive Orders and continues to remain in effect; and

**WHEREAS**, Executive Directive 20-013, issued on May 20, 2020, instituted a testing requirement for COVID-19 in New Jersey licensed Long-Term Care Facilities, Assisted Living Residences, Comprehensive Personal Care Homes, Residential Health Care Facilities, and Dementia Care Homes (collectively “LTCFs” or “facilities”); and

**WHEREAS**, LTCFs have been heavily impacted by COVID-19 and the New Jersey Department of Health (NJDOH) has taken an aggressive approach to detection of and response to the virus in these vulnerable populations; and

**WHEREAS**, New Jersey has created a guide, *The Road Back: Restoring Economic Health Through Public Health*, which outlines six key principles and benchmarks to guide the process for restoring New Jersey's economic health by ensuring public health and how activities are going to be restarted in stages; and

**WHEREAS**, the Centers for Medicare and Medicaid Services (CMS) has proposed similar phased recommendations for state and local officials to begin reopening long-term care facilities and, additionally, the Centers for Disease Control and Prevention (CDC) has addressed reopening considerations for LTCFs in their nursing home COVID-19 guidance; and

**WHEREAS**, resumption of services for LTCFs requires a phased-in approach, based on each facility's outbreak status and ability to meet the outlined criteria and such criteria include the case status in the facility; access to testing; adequate staffing; and adequate personal protective equipment (PPE) and infection control protocols, among others; and

**WHEREAS**, on January 6, 2021, the Department of Health issued ED-2026 (Revised), setting forth a phased approach to reopening facilities; and

**WHEREAS**, COVID-19 vaccines have received Emergency Use Authorization from the Food and Drug Administration; and

**WHEREAS**, as of March 16, 2021, approximately 142,682 doses of COVID-19 vaccine have been administered to individuals in congregate settings, including LTCF residents; and

**WHEREAS**, since COVID-19 vaccines have been administered to LTCF residents and staff, and these vaccines have been shown to help prevent symptomatic infection, CMS, in conjunction with the CDC, updated [visitation guidance](#) accordingly; and

**WHEREAS**, CMS and CDC continue to emphasize the importance of maintaining infection prevention practices in LTCFs, given the continued risk of COVID-19 transmission;

NOW, THEREFORE, I, JUDITH PERSICHILLI, Commissioner of the Department of Health, pursuant to the powers afforded to me under the Emergency Health Powers Act, hereby ORDER and DIRECT the following:

The provisions in this Directive apply to all residential healthcare facilities Long-Term Care Facilities, Assisted Living Residences, Comprehensive Personal Care Homes,

Residential Health Care Facilities, and Dementia Care Homes as defined in N.J.S.A. 26:2H-12.87<sup>1</sup>; and N.J.A.C. 8:43, N.J.A.C. 8:39, N.J.A.C. 8:36 and N.J.A.C. 8:37.

1. This Executive Directive supplements but does not supersede Executive Directive 20-026 issued on January 6, 2021.
2. Facilities covered by this Executive Directive shall continue to comply with Executive Directive 20-026 as well as the attached visitation protocols, as amended and supplemented.
3. If any provisions of the attached visitation protocols conflict with ED 20-026, the visitation protocols attached to this Directive shall control.

This Directive shall take effect immediately. The provisions of this Directive shall remain in force and effect for the duration of the public health emergency originally declared in Executive Order No. 103 (2020), and as extended by Executive Order, unless otherwise modified, supplemented and/or rescinded.



Dated: March 22, 2021

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Judith M. Persichilli, RN, BSN, MA

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<sup>1</sup> As defined in N.J.S.A. 26:2H-12.87, long-term care facility means a nursing home, assisted living residence, comprehensive personal care home, residential health care facility, or dementia care home licensed pursuant to P.L. 1971, c. 136 (C.26:2H-1 et seq.).